REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 21-41 are pending in the application, with claims 21, 28, and 34, being independent. Claims 1-20 were previously canceled, and claim 41 is canceled herein without prejudice to or disclaimer of the subject matter recited therein. Claims 21-28, 30-34, and 36-40 are amended herein. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added.

§ 103 REJECTIONS

Claims 21-23, 28-29, and 32-37 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0228090 ("Tanaka") in view of U.S. Patent No. 5,075,684 ("DeLuca").

Claims 24-27, 30-31, and 38-41 stand rejected under 35 U.S.C. § 103(a) as being obvious over Tanaka in view of DeLuca in further view of U.S. Patent Publication No. 2003/0132972 ("Pang").

Applicant respectfully traverses the rejections, and requests that the rejections be reconsidered and withdrawn.

Claims 21-23, 28-29, and 32-37

Claims 21-23, 28-29, and 32-37 stand rejected under 35 U.S.C. § 103(a) as being obvious over Tanaka in view of DeLuca.

Tanaka is directed to displaying messages exchanged between players of a video game. The messages are displayed in a chat window that "is sequentially enlarged up to a preset maximum number of lines when a new message is received from the game server apparatus." (Abstract). Specifically, the chat window displays "[c]ommunications among the players" as well as "[i]nformation, which the non-player characters give the player character, and information, which indicates a result of the battle." (Paragraph [0037]). Furthermore, when the number of messages in the chat window display has reached the preset maximum number of lines, "the oldest message displayed at the uppermost position of the chat window 350 is deleted." (Paragraph [0090]).

DeLuca is directed to "a method for storing messages in source files with a user allocated number of message storage slots according to the source of the message." (Summary). More specifically, "[w]hen a message has been received 42, the source of the message is determined 44 from a signal contained therein . . . For each message source signal, there is a source file with an assigned number of message storage slots . . . If all of the message storage slots assigned to the source file are occupied 46, the message is stored in the message storage slot occupied by the earliest received message which is unprotected." (Column 2, line 56 – Column 3, line 13).

Independent claim 21, as presently presented, is directed to one or more computer readable storage media, and recites:

> One or more computer readable storage media storing computer-implementable instructions that cause one or more processors to perform acts comprising:
>
> receiving a new message from a client device;

identifying a sender name of the new message that identifies a user logged onto the client device;

identifying a title attribute of the new message that identifies an application running on the client device that sent the new message;

determining whether a queue for a targeted recipient of the new message has more than a message queue threshold number of messages;

deleting one of the messages from the queue when the queue includes more than the message queue threshold number of messages, wherein deleting one of the messages from the queue comprises:

deleting a message in the queue that has the title attribute of the new message regardless of the sender name of the new message when a sender name count exceeds a sender name threshold and when an attribute title count exceeds an attribute title threshold; and

adding the new message to the queue.

Applicant respectfully submits that Tanaka and DeLuca whether taken alone or in combination, fail to teach or suggest the recitations of independent claim 21. Specifically, Tanaka in view of DeLuca fails to teach or suggest "deleting a message in the queue that has the title attribute of the new message *regardless of the sender name* of the new message *when a sender name count exceeds a sender name threshold and when an attribute title count exceeds an attribute title threshold*" as recited in claim 21. (Emphasis added).

The Office acknowledges that, with respect to the above cited portion of claim 21: "Tanaka does not specifically disclose . . . deleting one of the messages from the queue when an attribute message count exceeds a sender attribute threshold." (Office Action, page 2). However, Applicant respectfully disagrees with the assertion that DeLuca teaches the recitations of claim 21.

DeLuca teaches filtering incoming messages based on a single source identifier of the message. Specifically, all messages that have the same source identifier are placed into a common "source file with an assigned number of message storage slots." (Column 3, lines 1-3). If the source file is full, then DeLuca further teaches deleting the earliest received message from that source. Thus, when a source identifier count exceeds a source identifier, DeLuca teaches deleting the earliest received message with the source identifier. Applicant submits that claim 21, on the other hand, deletes "a message in the queue *that has the title attribute of the new message regardless of the sender name* of the new message when a sender name count exceeds a sender name threshold." (Emphasis added). Since DeLuca fails to teach or suggest deleting a message from a second source file when the source file of the source identifier is full, DeLuca fails to teach or suggest "deleting a message in the queue that has the title attribute of the new message regardless of the sender name of the new message when a sender name count exceeds a sender name threshold and when an attribute title count exceeds an attribute title threshold" as recited in claim 21.

Accordingly, claim 21 is allowable for at least the foregoing reasons.

Dependent claims 22-23 depend from independent claim 21 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Independent claim 28, as presently presented, is directed to A method for intelligent message deletion, and recites:

A method for intelligent message deletion, the method comprising:

identifying a first sender attribute of the a message that identifies a source of the new message;

identifying a second sender attribute of the new message that further identifies the source of the new message;

determining whether a queue for a targeted recipient of the new message has more than a message queue threshold number of messages;

determining a first sender attribute count based on the number of messages in the queue that have the first sender attribute of the new message;

determining a second sender attribute count based on the number of messages in the queue that have the second sender attribute of the new message;

deleting a message from the queue based on both the first sender attribute count and the second sender attribute count; and

adding the new message to the queue.

Applicant respectfully submits that Tanaka and DeLuca whether taken alone or in combination, fail to teach or suggest the recitations of claim 28. Specifically, Tanaka in view of DeLuca fails to teach or suggest "deleting a message from the queue *based on both the first sender attribute count and the second sender attribute count* " as recited in claim 28. (Emphasis added).

The Office recites with respect to the above cited portion of claim 28: "Tanaka does not specifically disclose . . . deleting one of the messages from the queue when an attribute message count exceeds a sender attribute threshold." (Office Action, page 2). Applicant agrees with the Office that Tanaka does not explicitly teach or suggest "deleting one of the messages from the queue when an attribute message count exceeds a sender attribute threshold." However, Applicant respectfully traverses the assertion that DeLuca teaches the recitations of claim 28.

Since DeLuca teaches storing and deleting messages based on a single source identifier ("When a message has been received 42, the source of the message is determined 44 from a signal contained therein", DeLuca, Column 2, lines 65-68), DeLuca teaches deleting the earliest received message from a sender of the message when a message box for that specific sender is full rather than "deleting a message from the queue based on both the first sender attribute count and the second sender attribute count" which requires analysis of at least two source identifiers.

Accordingly, claim 28 is allowable for at least the foregoing reasons.

Dependent claims 29, and 32--33 depend from independent claim 28 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Independent claim 34, as presently presented, is directed to a system, and recites:

> A system, comprising:
> a memory to store a queue; and
> an intelligent message deletion module to:
> identify a first sender attribute of a newly received message that identifies a source of the newly received message;
> identify a second sender attribute of the newly received message that further identifies the source of the newly received message;
> add the newly received message to the queue; and
> delete a previously received message from the queue based on the number of messages in the queue that have the first sender attribute of the newly received message and the number of messages in the queue that have the second sender attribute of the newly received message when the queue includes more than a message queue threshold number of messages.

Applicant respectfully submits that Tanaka and DeLuca whether taken alone or in combination, fail to teach or suggest the recitations of claim 34. Specifically, Tanaka in view of DeLuca fails to teach or suggest "delete a previously received message from the queue *based on the number of messages in the queue that have the first sender attribute of the newly received message and the number of messages in the queue that have the second sender attribute of the newly received message* when the queue includes more than a message queue threshold number of messages" as recited in claim 34. (Emphasis added).

Applicant incorporates similar reasoning as presented above in response to the rejection of claim 28. Specifically, since DeLuca teaches storing and deleting messages based on a single source identifier, DeLuca teaches deleting the earliest received message based on a single sender attribute rather than "based on the number of messages in the queue that have the *first sender attribute* of the newly received message *and* the number of messages in the queue that have *the second sender attribute* of the newly received message" as recited in claim 34. (Emphasis added).

Accordingly, claim 34 is allowable for at least the foregoing reasons.

Dependent claims 35-37 depend from independent claim 34 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Claims 24-27, 30-31, and 38-41

Claims 24-27, 30-31, and 38-41 stand rejected under 35 U.S.C. § 103(a) as being obvious over Tanaka in view of DeLuca in further view of Pang.

Pang is directed to "a technique for removing junk e-mail messages from a system of computers over a wide area network." (Summary). Specifically, "when the user clicks upon the remove icon, the junk e-mail message is not only replied to using the user's e-mail program, but is also deleted or purged from the user's in-box." (Page 3, Paragraph [0038]).

Dependent claims 24-27 depend from independent claim 21 and are allowable by virtue of this dependency, as well as for additional features that they recite. Although all dependent claims may recite limitations not taught by Tanaka in view of DeLuca in further view of Pang, only claim 24 is discussed below.

Claim 24 recites:

> One or more computer readable media as recited in claim 21, wherein the deleting one of the messages from the queue further comprises deleting an oldest message in the queue that has the attribute title of the new message when the attribute title count exceeds the attribute title threshold.

Tanaka in view of DeLuca in further view of Pang fails to teach or suggest the recitations of claim 24. Specifically, Tanaka in view of DeLuca in further view of Pang fails to teach or suggest "deleting an oldest message in the queue that has the attribute title of the new message *when the attribute title count exceeds the attribute title threshold*." (Emphasis added). The Office recites with reference to the rejection of claim 24: "Tanaka-DeLuca

does not specifically disclose . . . wherein deleting the oldest message in the queue having the sender attribute includes deleting the oldest message in the queue having the sender title of the new message. However, Pang, discloses removing a message based on the title or subject line of the message [Pang, paragraph 54]." (Office Action, page 5). However, Applicant respectfully disagrees with the assertion that Tanaka in view of DeLuca in further view of Pang teaches "when the attribute title count exceeds the attribute title threshold" as recited in claim 24. Although Pang provides selecting messages to delete based on "the title or subject line, for example" (paragraph [0054]), Pang teaches deleting such messages when a "user clicks upon the remove icon" (paragraph [0038]) rather than "when the attribute title count exceeds the attribute title threshold" as recited in claim 24.

Accordingly, claims 24-27 are allowable for at least the foregoing reasons.

Dependent claims 30-31 depend from independent claim 28 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Dependent claims 38-40 depend from independent claim 34 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

CONCLUSION

For at least the foregoing reasons, claims 21-40 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

The arguments and amendments presented herein were necessitated by the most recent Office Action, and could not have been presented previously because the final Office Action rejected claims based on new art not previously of record.

If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: October 14, 2008 By: _____

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